

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

JOSHUA CARY MYERS,

Petitioner,

v.

RENEE BAKER, *et al.*,

Respondents.

Case No. 3:14-cv-00082-MMD-VPC

ORDER

This is a petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, by a Nevada state prisoner represented by counsel.

On June 24, 2016, through counsel, petitioner filed a first amended petition. (ECF No. 38). Petitioner concurrently filed 60 exhibits in support of the first amended petition. (ECF Nos. 39, 40, 41.) Petitioner also has filed a motion to partially waive Local Rule IA 10-3(e), which requires the cover page of each exhibit to include a description of the exhibit. (ECF No. 42.) Local Rule IA 1-4 permits the Court to waive any of the local rules if the interests of justice so require. Petitioner argues that adding descriptors to the cover page of each exhibit is unduly burdensome given the large number of exhibits filed in this case, and given the limited resources of the Office of the Federal Public Defender. Petitioner has filed an index of exhibits to the first amended petition and each exhibit includes a cover sheet referencing the exhibit by number. The Court finds that the interests of justice are best served by partially waiving Local Rule IA 10-3(e), so that the cover page of each exhibit need not include a description of the exhibit.

1 Respondents have filed a motion for an extension of time in which to file a
2 response to the amended petition. (ECF No. 43). Respondents seek a 45-day
3 enlargement of time, up to and including September 22, 2016, to file a response. Having
4 reviewed the motion and good cause appearing, respondents' motion is granted.

5 It is therefore ordered that petitioner's motion to partially waive Local Rule IA 10-
6 3(e) (ECF No. 42) is granted.

7 It is further ordered that respondents' motion for an extension of time to file a
8 response to the amended petition (ECF No. 43) is granted. The response must be filed
9 on or before September 22, 2016.

10 DATED THIS 9th day of August 2016.

A handwritten signature in blue ink, appearing to read 'Miranda M. Du', is written over a horizontal line.

MIRANDA M. DU
UNITED STATES DISTRICT JUDGE